IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JAN 3 1 2012

JU BY:	DEPUTY CLERK
BY:	DEPUTY CLERK

, DELOTT GENERAL
)
) Criminal Action No. 7:06CR00079
) Civil Action No. 7:11CV80394
)
) FINAL ORDER
)
) By: Hon. Glen E. Conrad
) Chief United States District Judge
)

For the reasons stated in the accompanying memorandum opinion, it is now

ORDERED

as follows:

- 1. The government's motion to dismiss shall be and hereby is **GRANTED**;
- 2. The defendant's motion to vacate, set aside, or correct sentence under 28 U.S.C. §

 2255 shall be and hereby is **DISMISSED WITHOUT PREJUDICE** as

 successive and **STRICKEN** from the active docket of the court; and
- 3. A certificate of appealability shall be and hereby is **DENIED**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the defendant and all counsel of record.

ENTER: This 30 day of January, 2012.

Chief United States District Judge